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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,935	07/25/2003	Josef Woller	41133US	3690

29450 7590 03/16/2005

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EXAMINER

PATEL, VISHAL A

ART UNIT PAPER NUMBER

3676

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,935

Applicant(s)

WOLLER ET AL.

Examiner

Vishal Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-13 is/are pending in the application.
- 4a) Of the above claim(s) 14 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 claims a seal, how can a seal have a line duct having an aperture defined by an inner surface for receiving a line?

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-12 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grunau (US. 4,375,011) in view of Law (US. 4,900,068).

Grunau discloses a sealing device for sealing a line relative to a line duct (line 20 and duct 12, this is considered to be intended use). The sealing device having a substantially tubular seal (16) disposed between the line and the line duct (formed by 12 and 14 or just 14) and the line (20) being introducible at least partially into the line duct. The tubular seal having at least one sealing lip located on a wall of the seal (lips 32). A force applied at an end of the tubular seal causes the seal to expand against both the line and the line duct to form a pressure-tight seal

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(this is the case because the nut is tightened to make the seal expand by contacting at 38 and at 34, so the sealing device would provide a seal against the line and the line duct). The seal having plurality of lips (lips 32), which are disposed approximately equidistantly along an inner wall thereof (inner wall of 16). The sealing device comprises a screw-down nut (14), which is connectable to the line duct in such a way that the seal is pressed against the line. The screw-down nut comprises a thread (threads of 14), which is screw-connectable to the line duct (threads 10 of duct 12). The seal has a rotationally symmetrical shape. The sealing device effects sealing of an electric cable relative to a cable gland (cable 20 and gland 12). The cable gland is disposed on a housing of a plug-in connector (the cable gland 12 must be mounted on a housing by internal thread of 12). The dimensions of the line, the seal and the line duct are so selected that through their connection, an interference fit is produced (this is the case since the line and seal contact each other). The line (20) overlapping at least a portion (portion of duct) of the line duct (12) along an axis of the substantially tubular body (tubular body of 16).

Regarding claim 13: The tubular body having an outer surface *configured to engage an inner surface of the line duct*, an inner surface *configured to engage an outer surface of the line (intended use)*, and an end *configured to receive a compressive force (intended use)*. The line duct is formed by 10, 12 and 14 or just 14 alone.

Grunau disclose the invention substantially as claimed above but fail to disclose that the seal comprises anti-rotation element that are precisely fitted, where the anti-rotation element is formed by an interlock between the seal and the line duct, the seal comprises a circumferential stop projection, which may be brought into contact with an end face of the line duct that has complementary projections. Law discloses a member (18 for a cable) that has resilient fingers

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(20), the member having anti-rotation elements (28, which are projections and depressions or interlock that are precisely fitted since each projection fits into a corresponding depression), the member placed in a line duct (line duct 10), the line duct having anti-rotation elements (29, which are projections and depressions or interlock) and the anti-rotation elements of both the line duct and member interact to prevent rotation of the member with respect to a nut-screw (23). It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the line duct and the seal of Grunau to provide anti-rotation elements as taught by Law, to prevent rotation of seal (inherent by meshing of two keys or interlocks 29 and 28, see figures 6-9 of Law).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grunau and Law in view of Guest (US. 5,615,895).

Grunau and Law disclose the invention substantially as claimed above but fail to disclose that the seal has plurality of sealing lips on an outer wall. Guest discloses a seal having lips on an inner surface and also lips on an outer surface (figure 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the seal of Grunau and Law to have plurality of lips on the outer wall as taught by Guest, to provide seal with the bore in which the sleeve is to be located (column 3, lines 20-23).

Response to Arguments

6. Applicant's arguments filed 8/3/04 have been fully considered but they are not persuasive.

Applicants' argument that Granau or Law fail to teach an anti-rotational element integrally formed in the seal is not persuasive, since Granau teaches a seal member as claimed by

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the applicant except that the seal member has anti-rotational elements but this is taught by Law, since Law teaches that an element can have anti-rotational element that are integrally formed on a back surface of the element. Furthermore having an anti-rotational element as taught by Law would provide a better seal device with fewer parts and less cost.

Applicants' argument that there is no motivation to combine the teaching of Law with Granau is not persuasive, since as stated above in the office action that to use anti-rotational elements prevents rotation as taught by Law. Furthermore Law is used only to teach that a member has anti-rotational elements on a back surface to prevent rotation of the member.

Applicants argument that Granau does not disclose a resilient substantially tubular seal disposed between the line and the line duct and the seal being introducible (capable of introducing into the line duct) at least partially into the line duct is not persuasive since the nut is considered to be a part of the line duct. Furthermore applicant has not positively claimed this, since the seal must be capable of being introduced into the line duct.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is (703) 308-8495. The examiner can normally be reached on Monday through Friday from 7:30 PM to 4:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford, can be reached on (703) 308-2978.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168. Technology Center 3600 Customer Service is available at 703-308-1113. General Customer Service numbers are at 800-786-9199 or 703-308-9000. Fax Customer Service is available at 703-872-9325.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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or faxed to: 703-872-9326, for formal communications for entry before Final action: or,
703-872-9327, for formal communications for entry after Final action.

Hand-delivered responses should be brought to Crystal Park Five, 2451 Crystal Drive,
Arlington, Virginia, Seventh Floor (Receptionist suite adjacent to the elevator lobby).

VP

March 9, 2005

A handwritten signature in black ink, appearing to read "Vishal Patel", with a stylized flourish at the end.

Vishal Patel
Patent Examiner
Tech. Center 3600